

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Brian Keith Cannady

Docket No. 5:13-CR-187-1BO

Petition for Action on Supervised Release

COMES NOW Erica W. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Brian Keith Cannady, who, upon an earlier plea of guilty to 18 U.S.C. §§ 922(g)(1) and 924, Possession of a Firearm by a Convicted Felon, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on January 6, 2014, to the custody of the Bureau of Prisons for a term of 28 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Brian Keith Cannady was released from custody on October 15, 2016, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant tested positive for marijuana on October 19, and November 14, 2016. He admitted to using the substance. The probation office would like to refer him for substance abuse treatment and place him in our Surprise Urinalysis Program for closer monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Erica W. Foy
Erica W. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8665
Executed On: January 18, 2017

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ORDER OF THE COURT

Considered and ordered this 18 day of January, 2017, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge